

UNITED STATES DISTRICT COURT CHARLOTTE, N.C.  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION 02 MAY 14 AM 11:41  
Civil Action No. 3:01 CV 427 - MU U.S. DISTRICT COURT  
W. DIST. OF N.C.

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiff Kenneth D. Stewart, by and through his undersigned counsel, and Defendants Duke Energy Corporation and Duke Engineering & Services, by and through their undersigned counsel, stipulate that this action shall be and hereby is DISMISSED WITH PREJUDICE, each party to bear their own costs and fees.

It is so stipulated.

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Date: May 10, 2002